IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 22083 of 2006(D)

AGAINST THE ORDER IN EA.440/04, 406/04 IN EP.58/03 IN OS.20/1998 of PRINCIPAL SUB COURT,KOCHI

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PETITIONER:

XAVIER, S/O.JOHN,
AGED 58, MATTUPURATHU HOUSE,
MURIKKUMPADAM, PUTHUVYPPU VILLAGE,
KOCHI TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.JOSE JOSEPH ARAYAKUNNEL
SRI.VARGHESE PARAMBIL

RESPONDENTS:

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1. E.V.MATHAI,
ELAMKUNNAPUZHA HOUSE, NJARAKKAL P.O.,
KOCHI TALUK.

2. ROBERT, S/O.JOHN,
MUTTUPURATHU HOUSE, BEHIND DON BOSCO SCHOOL,
VADUTHALA, ERNAKULAM DISTRICT.

3. BENOY, S/O.SUDHAKARAN,
KATTUPADATHU HOUSE, SOUTH MALIPPURAM,
KOCHI TALUK.

BY ADV. SRI.S.VINOD BHAT (FOR R1)
SRI.BABU KARUKAPADATH (FOR R3)
SMT.M.A.VAHEEDA BABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBTS:

EXT. P1: COPY OF THE SALE CERTIFICATE DATED 29-10-03.

EXT. P2: COPY OF THE LAND TAX PAID BY THE PETITIONER DATED 1-9-04.

EXT. P3: WRITTEN COPY OF THE ORDER DISMISSING THE CLAIM PETITION DATED 16-8-06.

/TRUE COPY/

P.A. TO JUDGE

JP

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 22083 of 2006

Dated this the 3rd day of August , 2007

JUDGMENT

The learned Subordinate Judge reported that the carbon copy of the order was issued to the petitioner on 30.8.2006. Sri.Vinod Bhat, the learned counsel appearing for the respondents submits that the petitioner has already preferred an appeal by utilizing that carbon copy.

Under the above circumstances, this writ petition will stand disposed of in view of the report of the learned Subordinate Judge.

PIUS C. KURIAKOSE,

JUDGE.

Dpk